

1 MERKLE SIEGEL & FRIEDRICHSEN, P.C.
Robert J. Siegel
2 1325 Fourth Ave., Suite 940
Seattle, WA 98101
3 (206) 624-9392
4
5
6
7
8

THE HON. JOHN C. COUGHENOUR

9 UNITED STATES DISTRICT COURT
10 WESTERN DISTRICT OF WASHINGTON, SEATTLE

11 JAMES S. GORDON, Jr., a married
individual, d/b/a
12 'GORDONWORKS.COM',

13 Plaintiff,

14 v.

15 VIRTUMUNDO, INC, a Delaware
corporation, d/b/a
16 ADKNOWLEDGEMAIL.COM;
ADKNOWLEDGE, INC., a Delaware
17 corporation, d/b/a
ADKNOWLEDGEMAIL.COM;
18 SCOTT LYNN, an individual; and
JOHN DOES, I-X,
19

20 Defendants.
21

NO. CV06-0204JCC

DECLARATION OF
EMILY ABBEY

IN SUPPORT OF PLAINTIFF'S
MOTION FOR PARTIAL
SUMMARY JUDGMENT

22 Emily Abbey, declares as follows:
23

24 1. I, Emily Abbey, am over the age of 18, of sound mind, and am otherwise competent to
25

DECLARATION OF
IN SUPPORT OF PLAINTIFF'S MOTION FOR PARTIAL
SUMMARY JUDGMENT
DISMISS GORDON v. VIRTUMUNDO GROUP, INC.

- 1

MERKLE SIEGEL & FRIEDRICHSEN
1325 Fourth Ave., Suite 940
Seattle, WA 98101
Phone: 206-624-9392
Fax: 206-624-0717

1 testify.

2 I am, and have been since 1969, a Washington State resident.

3 Since Feb. 1, 2005, I have been the registrant of the internet domain 'ehahome.com.'

4 All email sent to all email addresses at the 'ehahome.com' domain name is sent to me.

5 List of addresses: emily@ehahome.com; Katie@ehahome.com; byron@ehahome.com;

6 charlie@ehahome.com; eha@ehahome.com; ehabbey@ehahome.com; abbey@ehahome.com;

7 healthy@ehahome.com; hum@ehahome.com; humming@ehahome.com; james@ehahome.com;

8 joy@ehahome.com; joyful@ehahome.com; peace@ehahome.com;

9 5. At all times since I registered the 'ehahome.com' domain the information of my
10 Washington residency has been available through my domain registrar, and directly from me to
11 anyone who would inquire.

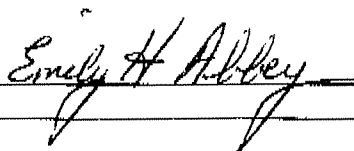
12 6. My domain is hosted by Omni Innovations, LLC. on its server.

13 7. I have received multiple commercial emails sent to email addresses at my domain from
14 defendants in this lawsuit.

15 I swear under the penalty of perjury under the laws of the State of Washington, that the
16 foregoing is true and correct.

17 EXECUTED this 14th day of December, 2006.

18
19 Emily Abbey



22 Certificate of Service

23 I, hereby, certify that on December 18, 2006, I filed this affidavit with this Court via
24 approved electronic filing, and served the following:
Attorneys for Defendants: Derek Newman

25
DECLARATION OF
IN SUPPORT OF PLAINTIFF'S MOTION FOR PARTIAL
SUMMARY JUDGMENT
DISMISS GORDON v. VIRTUMUNDO GROUP, INC.

MERKLE SIEGEL & FRIEDRICHSEN
1325 Fourth Ave., Suite 940
Seattle, WA 98101
Phone: 206-624-9392
Fax: 206-624-0717

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25


Adana Lloyd

DECLARATION OF
IN SUPPORT OF PLAINTIFF'S MOTION FOR PARTIAL
SUMMARY JUDGMENT
DISMISS GORDON v. VIRTUMUNDO GROUP, INC.
- 3

MERKLE SIEGEL & FRIEDRICHSEN
1325 Fourth Ave., Suite 940
Seattle, WA 98101
Phone: 206-624-9392
Fax: 206-624-0717